



2026:AHC:161821

HIGH COURT OF JUDICATURE AT ALLAHABAD

WRIT - A No. - 67990 of 2015

Smt. Kanchan Devi

.....Petitioner(s)

Versus

State Of U.P. And 5 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Prem Prakash
Counsel for Respondent(s)	:	Azad Rai, C.S.C.

Court No. - 34

(SN.36)

HON'BLE ANISH KUMAR GUPTA, J.

1. Sri Ashish Kumar Mishra, Advocate holding brief of Sri Prem Prakash, learned counsel for the petitioner and Sri Prem Shankar Mishra, learned Standing Counsel for the State.
2. The instant petition has been filed seeking quashing of the order dated 28.07.2015 and a direction to the respondents to decide the representation of the petitioner herein dated 07.09.2015.
3. The briefly stated facts of the case are that 04.03.2014, the Government of U.P. has issued a direction to select the ASHA Workers (Accredited Social Health Activist) and detailed guidelines were issued. Pursuant thereto, the petitioner herein along with other persons applied for the said post of ASHA in Village- Dhansipur, Block- Saidabad, District- Allahabad.
4. On 08.11.2014, an open meeting was held of the Village- Panchayat, in which the medical assistant was not present, however, his representative ANM, Smt. Vijay Laxmi was present and the proceeding was conducted in presence of the Village Pradhan and ANM but the proceeding was carried out only by the Village Pradhan and the signature of ANM was not taken in the first round of selection process carried out on 08.11.2014, in which the said Village Pradhan unilaterally has selected the petitioner herein. However, the said recommendation for selection of the petitioner

was rejected by the Superintendent on the ground that another applicant, namely Urmila Devi, was a widow and according to the rules, she was required to be given one more mark and therefore, she ought to have been selected.

5. Thereafter, another selection process was carried out after 3 days in which Lalita Devi, who was having intermediate qualification, whereas the petitioner and the said Urmila Devi was having only VIIIth class pass, therefore, the said Lalita Devi was got selected. The selection of said Lalita Devi was challenged by Urmila Devi by filing the Writ Petition No. 29229 of 2015, which was disposed of by this Court by vide order dated 25.05.2015, remanding the matter back to the respondent no. 2, the Chief Medical Officer, Allahabad. Consequently, a representation dated 28.05.2015 was submitted by the said Urmila Devi, which was decided by the Chief Medical Officer on 28.07.2015. Since, the irregularities were pointed out with regard to the selection process conducted earlier, the entire selection process was cancelled and the CMO has directed that fresh selection be conducted.

6. Pursuant thereto, a fresh selection process has been carried out after due intimation by the Village Panchayat, wherein by following the entire process again the said Lalita Devi has been selected, who alone was present for discussion in the meeting held on 03.09.2015, after due notice and she has also obtained 14 marks, whereas the petitioner and said Urmila Devi obtained only 10 marks. In such view of the matter, said Lalita Devi has been selected on 03.09.2015 and consequently, an agreement has been executed between the Incharge Medical Officer of the Primary Health Centre, Block Level and consequently the said Lalita Devi is working as ASHA worker since thereafter.

7. Thereafter, the husband of the petitioner has complained about the said selection process held on 03.09.2015 and again, the petitioner has moved the representation before the District Magistrate on 07.09.2015 and since no action was taken on the aforesaid complaint and the representation moved by the petitioner, the instant writ petition has been filed by the petitioner.

8. Learned counsel for the petitioner could not point out any illegality in the second selection process held on 03.09.2015, pursuant to the direction of the Chief Medical Officer, Allahabad, as the meeting was held after due notice on 03.09.2015, where the petitioner did not appear and the selected candidate, namely Lalita Devi had appeared and was having the higher qualification and marks, consequently she has been selected. In such view of the matter, this Court do not find any illegality in the second selection process held on 03.09.2015, whereby the Lalita Devi, respondent no. 6, was got selected.

9. Consequently, the instant writ petition is devoid of merit and accordingly ***dismissed***.

(Anish Kumar Gupta,J.)

August 3, 2026

Shubham Arya